

**JOINT COMMITTEE ON THE JUDICIARY  
BILL SUMMARY**

**BILL NO.** H1982

**TITLE:** An Act relative to the protection of small businesses and workers.

**SPONSOR:** Rep. Lindsay N. Sabadosa

**COSPONSOR(S):** None

**HEARING DATE:** TBD

**PRIOR HISTORY:** None

**SENATE BILL:** S1038 (Brownsberger)

**REPORTING DEADLINE:** September 27, 2025 (subject extensions, in accordance with House Rule 27)

**CURRENT LAW:** Chapter 93 of the General Laws sets up the legal standards and prohibited practices for trade and enterprises in the Commonwealth. Section 2 lists the definitions for terms used within the Chapter. Section 4 prohibits any contract or conspiracy in restraint of trade or commerce. Section 5 prohibits monopolies of any part of trade or commerce in the Commonwealth. Section 10 prohibits the knowing violation of Section 4 or Section 5 with the intent to injure any person punishable by up to a \$100,000 fine if by a corporation or up to 1 year of incarceration or a fine of up to \$25,000, or both, if by a person. The Attorney General may bring actions for these violations. Section 12 permits a person aggrieved by a violation of the Chapter to sue for damages and costs including reasonable attorneys fees and permits a Court upon a finding of malicious intent to injure to award up to three times the amount of actual damages.

**BILL SUMMARY:** Sections 1 to 3 – Update Section 2 of Chapter 93 to add definitions for “monopoly power”, “monopsony” and “monopsony power” strike the definition of “New England” and strike language exempting from the definition of “trade and commerce” the conveyance, transfer or use of real property.

Section 4 – Updates Section 4 of Chapter 93 to add that a contract or arrangement is against public policy and unlawful if involves a monopoly or monopsony or restrains or may restrain competition or the free exercise of any business activity or service.

Section 5 – Updates Section 5 of Chapter 93 to add language prohibiting persons with dominant positions in business to abuse their position. It lists a variety of scenarios which may be used to establish a person’s dominant position and what is categorized as abusing a dominant position and provides the affirmative defense of establishing pro-competitive benefits of the challenged conduct. It lists a number of restraints that are presumed illegal if engaged by a firm in a dominant position.

Section 6 – Updates Section 10 of Chapter 93 by explicitly stating that a knowing violation of Section 4 or 5 with intent to injure a person is a felony.

Section 7 – Adds a new Section 13A to Chapter 93 permitting the recovery of reasonable fees and costs by the Attorney General or private litigants if they prevail in an action under the Act.